



KANSAS AIR QUALITY PROGRAM OVERVIEW

INFORMATIONAL SHEET KDHE, BUREAU OF AIR AND RADIATION

This informational sheet is general in nature and is intended only for purposes of summarizing applicability guidelines. Official versions of the Kansas air quality act and regulations should be consulted prior to making any final decision regarding the issues addressed.

Emissions are calculated as potential-to-emit (PTE) for all programs except emissions fees.

I. Kansas Air Quality Program Summary

A. Preconstruction Review - K.A.R. 28-19-300

1. Prevention of Significant Deterioration (PSD) Permit - K.A.R. 28-19-302(a)
- K.A.R. 28-19-350
- 40 CFR 52.21
2. State Construction Permits - K.A.R. 28-19-300(a)
3. State Construction Approvals - K.A.R. 28-19-300(b)

B. Operating Permits - K.A.R. 28-19-500

1. Class I operating permits - K.A.R. 28-19-500(a)
2. Class II operating permits (FESOPs) - K.A.R. 28-19-500(b)
3. Class III operating permits - K.A.R. 28-19-500(c) and (d)

C. Annual Emissions Fee - K.A.R. 28-19-202

D. Other requirements

II. Preconstruction Review - K.A.R. 28-19-300

A. Prevention of Significant Deterioration (PSD) Permit - K.A.R. 28-19-302(a) - K.A.R. 28-19-350 - 40 CFR 52.21

1. Purpose: To assure that emissions from new major PSD sources, significant emission increases from modifications to existing major PSD sources, and emissions from major modifications to existing non-major PSD sources do not cause or contribute to a violation of the national ambient air quality standards (NAAQS) and do not exceed the allowable increments.

2. PSD Major source definition

- a. 100 t/yr PTE for listed sources
- b. 250 t/yr PTE for other sources

3. Applicability

a. Construction of new major PSD sources and modifications to minor PSD sources

100 t/yr PTE for listed sources
250 t/yr PTE for all other sources

b. Modifications to major PSD sources

PTE of modification exceeds PSD significance levels
"Net emissions increase" exceeds PSD significance levels

4. Regulated pollutants	Significance levels (PTE)
Carbon monoxide (CO)	100 t/yr
Nitrogen oxides (NO _x)	40 t/yr
Sulfur oxides (SO _x) measured as Sulfur dioxide (SO ₂)	40 t/yr
Particulate matter - PM	25 t/yr
- PM ₁₀	15 t/yr
Ozone, regulated as Volatile Organic Compounds (VOC)	40 t/yr
Lead	0.6 t/yr
Asbestos	0.007 t/yr
Beryllium	0.0004 t/yr
Mercury	0.1 t/yr
Vinyl chloride	1 t/yr
Fluorides	3 t/yr
Sulfuric acid mist	7 t/yr
Hydrogen sulfide (H ₂ S)	10 t/yr
Total reduced sulfur compounds (TRS) (including H ₂ S)	10 t/yr
Reduced sulfur compounds (including H ₂ S)	10 t/yr
Municipal waste combustor organics	3.5 x 10 ⁻⁶ t/yr
Municipal waste combustor metals	15 t/yr
Municipal waste combustor acid gases	40 t/yr
Benzene	any emission rate

Arsenic	any emission rate
Radio nuclides	any emission rate
Radon-222	any emission rate
Polonium-210	any emission rate
CFC's 11, 12, 112, 114, 115	any emission rate
Halons 1211, 1301, 2402	any emission rate

B. State Construction Permits - K.A.R. 28-19-300(a)

1. Purpose: To assure that emissions from new construction and modifications do not cause or contribute to violations of the NAAQS and to assure new construction and modifications can comply with applicable regulations.
2. Preconstruction permit required for following:
 - a. New source with emissions of regulated pollutant above state permit PTE threshold
 - b. Modification of existing source if increase of regulated pollutant emissions exceeds state permit PTE threshold
 - c. Affected (Title IV) sources
 - d. Incinerators (except small residential incinerators)

3. Regulated pollutants	State Permit PTE thresholds
PM	25 t/yr
PM10	15 t/yr
SOx	40 t/yr
CO	100 t/yr
VOC	40 t/yr
NOx	40 t/yr
Lead	0.6 t/yr
Hazardous air pollutants (HAPs)	10 t/yr
Combined HAPs	25 t/yr

C. State Construction Approvals - K.A.R. 28-19-300(b)

1. Purpose: To assure that emissions from new construction and modifications do not cause or contribute to violations of the NAAQS and to assure new construction and modifications can comply with applicable regulations.
2. Preconstruction approvals required for following if preconstruction permit is not required
 - a. New source with emission of regulated pollutant above state approval PTE threshold
 - b. Modification of existing source if increase of regulated pollutant emissions exceeds state approval PTE threshold
 - c. Most minor NSPS, Part 61 NESHAP and Part 63 NESHAP sources
 - d. Sources which apply and qualify for an approval under K.A.R. 28-19-302(c)

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|---|---|
| 3. Regulated pollutant | State Approval PTE thresholds |
| PM | 5 lbs/hr |
| PM10 (agricultural) | 5 lbs/hr |
| PM10 (other) | 2 lbs/hr |
| SO2 or SO3 | 2 lbs/hr |
| CO | 50 lbs/24 hr. period |
| VOC (except Wy or Jo counties) | 50 lbs/24 hr. period |
| VOC (Wy or Jo counties) | 15 lbs/24 hr. period |
| | 3 lbs/hr |
| NOx | 50 lbs/24 hr. period |
| lead or lead compounds | 0.1 lbs/hr. |
| Non Methane Organic Compounds (Landfills) | If design capacity \geq 2.5 million megagrams or
\geq 2.5 million cubic meters and the calculated
NMOC emission rate \geq 50 megagrams/year |
4. K.A.R. 28-19-302(c)
- Allows most sources with actual emissions below state permit thresholds to be treated in the same manner as a source with potential emissions below those thresholds
 - A restriction in an approval will reduce the PTE for state purposes if the reduced PTE is not for the purpose of avoiding PSD or a Class I or II operating permit

III. Operating Permits - K.A.R. 28-19-500

A. Class I operating permits - K.A.R. 28-19-500(a)

- Purpose: Development of a single document which contains all air quality requirements with which the source must comply.
- Kansas Class I operating permit satisfies the requirements of Title V of CAAA
- The following air emission sources are required to obtain a Class I operating permit:
 - PTE of any individual HAP is greater than or equal 10 t/yr.
 - PTE of combined HAPs is greater than or equal 25 t/yr.
 - PTE of any other regulated pollutant greater than or equal 100 t/yr
 - Affected (Title IV) source
 - Solid waste incinerator regulated under CAA section 129(e)
 - Non-deferred or non-exempted NSPS source
 - Non-deferred or non-exempted 40 CFR Part 61 or Part 63 NESHAP source
 - Landfills subject to NSPS WWW
- See Appendix for list of regulated pollutants for applicability purposes
- Special rules for non-major or area sources required to get Class I permits - K.A.R. 28-19-511(h)

B. Class II operating permits (Federally enforceable state operating permits[FESOPs]) - K.A.R. 28-19-500(b)

1. Purpose: To provide a means to reduce the potential-to-emit of a source through federally enforceable operating permit restrictions.
2. Reduce PTE through federally enforceable limitation on physical or operational capacity
3. Permits-by-rule
 - a. Reciprocating engines
 - b. Organic solvent evaporative sources
 - c. Hot mix asphalt facilities
 - d. Sources with actual emissions less than 50% of major source thresholds
4. Regulated pollutants same as for Class I operating permits

C. Class III operating permits - K.A.R. 28-19-500(c) and (d)

1. Registration program primarily for deferred Title V sources
2. Incinerators not otherwise required to get an operating permit
3. Non-major or area NSPS, 40 CFR Part 61 NESHAP or Wy/Jo County VOC sources, except as listed

IV. Annual Emissions Fee - K.A.R. 28-19-202

A. Based upon actual emissions

B. Pollutants for which fee is charged:

1. Sulfur oxides measured as SO₂
2. PM₁₀
3. NO_x
4. VOCs
5. HAPs

C. Fees are due for:

1. emissions of an individual HAP if the actual emissions of that HAP exceed 10 t/yr.
2. emissions of combined HAPs if the actual combined HAP emissions exceed 25 t/yr.
3. individual emissions of any of the other four pollutants if the actual emissions of that individual pollutant exceeds 100 t/yr.

D. There is no double-charging for any pollutant

E. There is a 4000 t/yr. per pollutant cap

V. Other requirements

A. NSPS - K.A.R. 28-19-720

1. Purpose: Standards reflecting economically achievable emission limitations applicable to newly constructed, reconstructed or modified sources promulgated by EPA pursuant to section 111 of the CAA (and section 129(a) of the CAA)
2. 40 CFR Part 60
3. Applicability determined by:
 - a. source or facility category
 - b. date of construction, modification, reconstruction
4. Emission rate does not trigger applicability, though capacity is sometimes a factor

B. Part 61 NESHAPs - K.A.R. 28-19-735

1. Purpose: Health-based standards promulgated by EPA pursuant to section 112 of the CAA as in effect prior to the CAAA of 1990
2. 40 CFR Part 61
3. Applicability determined by:
 - a. pollutant emitted
 - b. source category
4. Capacity is sometimes a factor

C. Part 63 NESHAPs - K.A.R. 28-19-750

1. Purpose: Technology based standards (to be followed by health-based standards) promulgated by EPA pursuant to section 112 of the CAA as in effect after the CAAA of 1990
2. 40 CFR Part 63
3. Implements Title III of CAAA of 1990
4. Applicability determined by source category
5. Applies only to major HAP sources (10 t/yr. PTE) except for:
 - a. chromic acid anodizing
 - b. commercial dry cleaning (perchloroethylene) - transfer machines
 - c. commercial dry cleaning (perchloroethylene) - dry-to-dry machines
 - d. commercial sterilization facilities
 - e. decorative chromium electroplating
 - f. halogenated solvent cleaners
 - g. hard chromium electroplating

D. Johnson and Wyandotte county VOC sources - K.A.R. 28-19-61 through 28-19-77

1. Purpose: Reasonable available control technology (RACT) rules promulgated when Wyandotte and Johnson counties were nonattainment for ozone and which remain in effect as part of the maintenance plan
2. Applies only to specified VOC source categories located in Johnson or Wyandotte counties
3. Some source categories have PTE requirements
4. Some source categories have capacity requirements

E. General requirements

1. PM emissions process weight ratios - K.A.R. 28-19-20
2. Sulfur compound emissions - K.A.R. 28-19-22
3. Hydrocarbon emissions - K.A.R. 28-19-23
4. Carbon monoxide emissions - K.A.R. 28-19-24
5. Sulfuric acid mist emissions from sulfuric acid production units - K.A.R. 28-19-26
6. Emissions from indirect heating equipment - K.A.R. 28-19-30 through 28-19-32
7. Incinerator emissions - K.A.R. 28-19-40 through 28-19-43
8. Open burning restrictions - K.A.R. 28-19-645 through 28-19-648
9. Opacity requirements - K.A.R. 28-19-650
10. Control of volatile organic compound (VOC) emissions from commercial bakery ovens in Johnson and Wyandotte counties. - K.A.R. 28-19-717
11. Fuel volatility in Johnson and Wyandotte counties - K.A.R. 28-19-719
12. Existing municipal solid waste landfills. - K.A.R. 28-19-721 through 28-19-727
13. Hospital/medical/infectious waste incinerators - K.A.R. 28-19-729 through 28-19-729h
14. Construction of new major HAP sources or reconstruction of existing major HAP sources - K.A.R. 28-19-752a
15. HAP sources: USEPA fails to meet certain deadlines (MACT Hammer) - K.A.R. 28-19-753
16. Conformity rules - K.A.R. 28-19-800 through 28-19-801

F. Acid rain deposition (Title IV of CAA implementation) - K.A.R. 28-19-275

**APPENDIX: REGULATED POLLUTANTS for purposes of operating permit applicability
(Does not include the section 112(r) list of pollutants)**

1. Pollutants for which a NAAQS has been established (criteria pollutants)

lead
sulfur dioxide (SO₂)
nitrogen dioxide (NO₂)
carbon monoxide
particulate matter (PM₁₀)
ground level ozone, including precursors: nitrogen oxides (NO, NO₂, NO₃, N₂O, N₂O₃, N₂O₄, N₂O₅), and volatile organic compounds (VOCs)

2. Pollutants regulated under new source performance standards (NSPS)

criteria pollutants (including VOCs and NO_x) plus:
dioxin/furan
fluorides
hydrogen chloride
hydrogen sulfide (H₂S)
sulfuric acid mist
total reduced sulfur
reduced sulfur compounds

3. Class I and Class II substances under Title VI

Class I Substances

carbon tetrachloride
chlorofluorocarbon-11 (CFC-11)
chlorofluorocarbon-12 (CFC-12)
chlorofluorocarbon-13 (CFC-13)
chlorofluorocarbon-111 (CFC-111)
chlorofluorocarbon-112 (CFC-112)
chlorofluorocarbon-113 (CFC-113)
chlorofluorocarbon-114 (CFC-114)
chlorofluorocarbon-115 (CFC-115)
chlorofluorocarbon-211 (CFC-211)
chlorofluorocarbon-212 (CFC-212)
chlorofluorocarbon-213 (CFC-213)
chlorofluorocarbon-214 (CFC-214)
chlorofluorocarbon-215 (CFC-215)
chlorofluorocarbon-216 (CFC-216)
chlorofluorocarbon-217 (CFC-217)
halon-1211
halon-1301
halon-2402
methyl chloroform

Class II Substances

hydrochlorofluorocarbon-21 (HCFC-21)
hydrochlorofluorocarbon-22 (HCFC-22)
hydrochlorofluorocarbon-31 (HCFC-31)
hydrochlorofluorocarbon-121 (HCFC-121)
hydrochlorofluorocarbon-122 (HCFC-122)
hydrochlorofluorocarbon-123 (HCFC-123)
hydrochlorofluorocarbon-124 (HCFC-124)
hydrochlorofluorocarbon-131 (HCFC-131)
hydrochlorofluorocarbon-132 (HCFC-132)
hydrochlorofluorocarbon-133 (HCFC-133)
hydrochlorofluorocarbon-141 (HCFC-141)
hydrochlorofluorocarbon-142 (HCFC-142)
hydrochlorofluorocarbon-221 (HCFC-221)
hydrochlorofluorocarbon-222 (HCFC-222)
hydrochlorofluorocarbon-223 (HCFC-223)
hydrochlorofluorocarbon-224 (HCFC-224)
hydrochlorofluorocarbon-225 (HCFC-225)
hydrochlorofluorocarbon-226 (HCFC-226)
hydrochlorofluorocarbon-231 (HCFC-231)
hydrochlorofluorocarbon-232 (HCFC-232)
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hydrochlorofluorocarbon-241 (HCFC-241)
hydrochlorofluorocarbon-242 (HCFC-242)
hydrochlorofluorocarbon-243 (HCFC-243)
hydrochlorofluorocarbon-244 (HCFC-244)
hydrochlorofluorocarbon-251 (HCFC-251)
hydrochlorofluorocarbon-252 (HCFC-252)
hydrochlorofluorocarbon-253 (HCFC-253)
hydrochlorofluorocarbon-261 (HCFC-261)
hydrochlorofluorocarbon-262 (HCFC-262)
hydrochlorofluorocarbon-271 (HCFC-271)

4. 40 CFR Part 61 NESHAP pollutants

arsenic
asbestos
beryllium
benzene
mercury
radionuclides
vinyl chloride

5. Hazardous air pollutants (HAPs)

CAS number	Chemical Name
57147	1,1-Dimethyl hydrazine
79005	1,1,2-Trichloroethane
79345	1,1,2,2-Tetrachloroethane
96128	1,2-Dibromo-3-chloropropane
122667	1,2-Diphenylhydrazine
106887	1,2-Epoxybutane
75558	1,2-Propylenimine (2-Methyl aziridine)
120821	1,2,4-Trichlorobenzene
106990	1,3-Butadiene
542756	1,3-Dichloropropene
1120714	1,3-Propane sultone
106467	1,4-Dichlorobenzene(p)
123911	1,4-Dioxane (1,4-Diethyleneoxide)
53963	2-Acetylaminofluorine
532274	2-Chloroacetophenone
79469	2-Nitropropane
540841	2,2,4 - Trimethylpentane
1746016	2,3,7,8-Tetrachlorodibenzo-p-dioxin
584849	2,4 - Toluene diisocyanate
51285	2,4-Dinitrophenol
121142	2,4-Dinitrotoluene
94757	2,4-D, salts, esters(2,4-Dichlorophenoxy acetic acid)
95807	2,4-Toluene diamine
95954	2,4,5-Trichlorophenol
88062	2,4,6-Trichlorophenol
91941	3,3-Dichlorobenzidine
119904	3,3'-Dimethoxybenzidine
119937	3,3'-Dimethyl benzidine
92671	4-Aminobiphenyl
92933	4 - Nitrobiphenyl
100027	4 - Nitrophenol
101144	4,4-Methylene bis(2-chloroaniline)
101779	4,4'-Methylenedianiline
534521	4,6-Dinitro-o-cresol, and salts
75070	Acetaldehyde
60355	Acetamide
75058	Acetonitrile
98862	Acetophenone
107028	Acrolein
79061	Acrylamide
79107	Acrylic acid
107131	Acrylonitrile
107051	Allyl chloride
62533	Aniline
71432	Benzene
92875	Benzidine

98077	Benzotrichloride
100447	Benzyl chloride
57578	beta-Propiolactone
92524	Biphenyl
117817	Bis(2-ethylhexyl)phthalate (DEHP)
542881	Bis(chloromethyl)ether
75252	Bromoform
156627	Calcium cyanamide
133062	Captan
63252	Carbaryl
75150	Carbon disulfide
56235	Carbon tetrachloride
463581	Carbonyl sulfide
120809	Catechol
133904	Chloramben
57749	Chlordane
7782505	Chlorine
79118	Chloroacetic acid
108907	Chlorobenzene
510156	Chlorobenzilate
67663	Chloroform
107302	Chloromethyl methyl ether
126998	Chloroprene
1319773	Cresols/Cresylic acid (isomers and mixture)
95487	o-Cresol
108394	m-Cresol
106445	p-Cresol
98828	Cumene
334883	Diazomethane
132649	Dibenzofuran
72559	DDE (p,p'-Dichlorodiphenyldi-chloroethylene)
84742	Dibutylphthalate
111444	Dichloroethyl ether (Bis(2-chloroethyl)ether)
62737	Dichlorvos
111422	Diethanolamine
64675	Diethyl sulfate
60117	Dimethyl aminoazobenzene
79447	Dimethyl carbamoyl chloride
68122	Dimethyl formamide
131113	Dimethyl phthalate
77781	Dimethyl sulfate
106898	Epichlorohydrin
140885	Ethyl acrylate
100414	Ethyl benzene
51796	Ethyl carbamate (Urethane)
75003	Ethyl chloride
106934	Ethylene dibromide (Dibromoethane)
107062	Ethylene dichloride (1,2-Dichloroethane)
107211	Ethylene glycol
151564	Ethylene imine (Aziridine)
75218	Ethylene oxide

96457	Ethylene thiourea
75343	Ethylidene dichloride (1,1-Dichloroethane)
50000	Formaldehyde
76448	Heptachlor
118741	Hexachlorobenzene
87683	Hexachlorobutadiene
77474	Hexachlorocyclopentadiene
67721	Hexachloroethane
822060	Hexamethylene,-1, 6 -diisocyanate
680319	Hexamethylphosphoramide
110543	Hexane
302012	Hydrazine
7647010	Hydrochloric acid
7664393	Hydrogen fluoride
123319	Hydroquinone
78591	Isophorone
58899	Lindane (hexachlorocyclohexane, gamma)
108316	Maleic anhydride
67561	Methanol
72435	Methoxychlor
74839	Methyl bromide (Bromomethane)
74873	Methyl chloride (Chloromethane)
71556	Methyl chloroform (1,1,1-Trichloroethane)
78933	Methyl ethyl ketone (2-Butanone)
60344	Methyl hydrazine
74884	Methyl iodide (Iodomethane)
108101	Methyl isobutyl ketone
624839	Methyl isocyanate
80626	Methyl methacrylate
1634044	Methyl tert-butyl ether
12108133	Methylcyclopentadienyl manganese
75092	Methylene chloride (Dichloromethane)
101688	Methylene diphenyl diisocyanate
91203	Naphthalene
98953	Nitrobenzene
62759	N-Nitrosodimethylamine
69892	N-Nitrosomorpholine
684935	N-Nitroso-N-methylurea
121697	N,N-Dimethylaniline
90040	o-Anisidine
95534	o-Toluidine
56382	Parathion
82688	Pentachloronitrobenzene (Quintobenzene)
87865	Pentachlorophenol
108952	Phenol
75445	Phosgene
7803512	Phosphine
7723140	Phosphorous
85449	Phthalic anhydride
1336363	Polychlorinated biphenyls (Aroclors)
106503	p-Phenylenediamine

123386	Propionaldehyde
114261	Propoxur (Baygone)
78875	Propylene dichloride (1,2-Dichloropropane)
75569	Propylene oxide
91225	Quinoline
106514	Quinone
100425	Styrene
96093	Styrene oxide
127184	Tetrachloroethylene (Perchloroethylene)
7550450	Titanium tetrachloride
108883	Toluene
8001352	Toxaphene (chlorinated camphene)
79016	Trichloroethylene
121448	Triethylamine
1582098	Trifluralin
108054	Vinyl acetate
593602	Vinyl bromide (bromoethene)
75014	Vinyl chloride
75354	Vinylidene chloride (1,1-Dichloroethylene)
1330207	Xylenes (isomers and mixture)
108383	m-Xylenes
95476	o-Xylenes
106423	p-Xylenes

CHEMICAL COMPOUND CLASSES

-	Arsenic and inorganic arsenic compounds
7784421	Arsine
-	Antimony compounds
1309644	Antimony trioxide
1345046	Antimony trisulfide
7783702	Antimony pentafluoride
28300745	Antimony potassium tartrate
-	Beryllium compounds
-	Beryllium salts
-	Cadmium compounds
130618	Cadmium oxide
-	Chromium compounds
-	Hexavalent Chromium compounds
-	Trivalent Chromium compounds
10025737	Chromic chloride
744084	Cobalt metal (and compounds)
10210681	Cobalt carbonyl
62207765	Fluomine

-	Coke oven emissions
-	Cyanide compounds
143339	Sodium cyanide
151508	Potassium cyanide
-	Fine mineral fibers (average diameter of 1 micrometer or less)
1332214	Asbestos
-	Erionite
-	Silica (crystalline)
-	Talc (containing asbestos form fibers)
-	Glass wool
-	Rock wool
-	Slag wool
-	Ceramic fibers
-	Glycol ethers
110805	2-Ethoxy ethanol
111762	Ethylene glycol monobutyl ether
108864	2-Methoxy ethanol
-	Lead compounds
75741	Tetramethyl lead
78002	Tetraethyl lead
7439965	Manganese and compounds
12108133	Methylcyclopentadienyl manganese
-	Mercury compounds
10045940	Mercuric nitrate
748794	Mercuric chloride
62384	Phenyl mercuric acetate
-	Elemental Mercury
-	Nickel compounds
13463393	Nickel Carbonyl
12035722	Nickel refinery dust
-	Nickel subsulfide
-	Polycyclic organic matter-POM
56553	Benz(a)anthracene
50328	Benzo(a)pyrene
205992	Benzo(b)fluoranthene
57976	7,12-Dimethylbenz(a)anthracene
225514	Benz(c)acridine
218019	Chrysene
53703	Dibenz(ah)anthracene
189559	1,2:7,8-Dibenzopyrene
193395	Indeno(1,2,3-cd)pyrene

- **Dioxins & Furans (TCDD equivalent) ****

7782492	Selenium and compounds
7488564	Selenium sulfide (mono and di)
7783075	Hydrogen selenide
10102188	Sodium selenite
13410010	Sodium selenate

99999918 **Radionuclides (including radon)*****

Notes:

** The "toxic equivalent factor" method in EPA/625/3-89-016, U.S. EPA, Interim procedures for estimating risk associated with exposure to mixtures, 1989 shall be used for PCDD/PCDF mixtures. A different de minimis level will be determined for each mixture depending on the equivalency factors used which are compound specific.

*** Subpart B and I, and Appendix E of 40 CFR part 61 has been relied upon to assign a de minimis level based on an effective dose equivalent of 0.3 millirem per year for a 7 year exposure period that would result in a cancer risk of 1 per million. The individual radionuclides subject to de minimis levels used for section 112(g) are also contained in 40 CFR part 61.

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